



Patent
Attorney's Docket No. 1034253-000002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Amine ABINA) Group Art Unit: 1633
Application No.: 10/727,172.) Examiner: A. Wehbe
Filed: December 3, 2003) Confirmation No.: 5982
For: METHOD OF MODULATING)
NEUTRALIZING ANTIBODIES)
FORMATION IN MAMMALS, AND)
USES THEREOF IN GENE)
THERAPY, ANIMAL)
TRANSGENESIS AND IN)
FUNCTIONAL INACTIVATION OF)
ENDOGENOUS PROTEINS)

346069

DECLARATION OF AMINE ABINA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I, Amine Abina, declare the following:
2. I am a French citizen, and have the following mailing address: 8 avenue Augustine 92250 La Garenne-Colombes, France;
3. I graduated from University of Pharmacy and Medicine, Besançon, France with a PhD degree in Science and Biology;
4. I have been employed by NOKAD as a President since 2005;
5. I am the sole inventor of the invention disclosed and claimed in the above-identified United States patent application filed December 3, 2003, and I am submitting this Declaration in support of that application;
6. In the Office Action dated March 9, 2007, the Examiner asserted that the examples provided in the specification show that there is no specific dose of recombinant adenovirus that is always "tolerizing" rather than "immunizing;"
7. However, while the specification teaches that variations in the amount of recombinant virus expressed in pfu/mouse to trigger tolerization can be observed, it is clear that these variations are caused by differences in the contamination of viral stocks (i.e. some